

Agenda**Environmental Protection
Commission**

November 18, 1996

1:30 P.M.

Wallace State Office Building, Fourth Floor Conference Room

Public Participation**2:00 P.M.****APPOINTMENT:**~~John Williams (Quality Preservation for Iowa County)~~~~2:15 P.M.~~**Agenda topics**

- | | |
|--|----------------------------------|
| 1. Approve Agenda | |
| 2. Approve Minutes of October 21, 1996 | |
| 3. Director's Report | Larry Wilson (Information) |
| 4. Monthly Financial Status Report | Stan Kuhn (Information) |
| 5. Monthly Reports | Allan Stokes (Information) |
| 6. Air Quality Program Status Update | Allan Stokes (Information) |
| 7. RBCA Briefing Wrap-Up | Allan Stokes (Information) |
| 8. Inter-Agency Agreement - Department of Economic Development | Allan Stokes (Decision) |
| 9. Legislation Package - 1997 | Don Paulin (Information) |
| 10. General Discussion | |
| 11. Address Items for Next Meeting | |

**Next
Meeting
Dates**

December 16, 1996

January 21, 1997 (Tuesday)

February 17, 1997

The EPC will hold a joint, informal dinner/meeting with the Department of Economic Development Commission at 7:00 p.m., November 18, at the Embassy Suites.

ENVIRONMENTAL PROTECTION COMMISSION

Monday, November 18, 1996

NAME	COMPANY OR AGENCY	CITY
(PLEASE PRINT)		
STEVE BUYER	IES Industries	Cedar Rapids
JANE McALLISTER	AHLERS LAW FIRM	DSM
Rick Kelley	U H L	DSM
Kathie Madore	Lee Newspapers	DM
Scott Young	Boya Case	KC
Cathy Woollums	MidAmerican Energy	Davenport
Amy Christensen	Sullivan & Ward	DM
Regina Thiry		Waterloo
Pat Rottinghaus		Waterloo
Eldon McElfee	Beving Law Firm	Des Moines
Elizabeth Anderson	IOEP	DSM
Chris Gault	FB	WDSM
Jack Seener	ABI	D.M.
JERRY FLEAGLE	B.I.R.P.	Waterloo

RECORD COPY EPC Meeting
File Name ADM-H-I November 1996
Services initials JLS.

MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

NOVEMBER 18, 1996

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Vice-Chairperson Priebe at 1:30 p.m. on Monday, November 18, 1996, in the Wallace State Office Building, Des Moines, Iowa.

MEMBERS PRESENT

Verlon Britt
William Ehm
Rozanne King, Chair (arrived at 1:40 p.m.)
Dean McWilliams
Charlotte Mohr, Secretary
Kathryn Murphy
Gary Priebe, Vice-Chair
Terrance Townsend
Rita Venner

ADOPTION OF AGENDA

The following adjustments were made to the agenda:

- Delete: Appointment for John Williams at 2:15 p.m.

Director Wilson stated that Mr. Williams had requested to be on the agenda and later called back and asked to be removed from the agenda. He noted that the Commissioners may have received a communication about a case that may come before the Commission at a later time, and Chairperson King will address that later in the meeting.

Motion was made by Terrance Townsend to approve the agenda as amended. Seconded by William Ehm. Motion carried unanimously.

APPROVED AS AMENDED

APPROVAL OF MINUTES

Motion was made by Dean McWilliams to approve the meeting minutes of October 21, 1996, as presented. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED

DIRECTOR'S REPORT

Larry Wilson, Director, distributed and reviewed the agenda for this evening's event with DED at the Embassy Suites. He related that the purpose of the dinner/meeting is to discuss projects of mutual interest to each department and to get to know each other better.

Director Wilson reviewed that one recommendation of the Governor's Task Force was to study the structure of the Environmental Protection Division and use of their staff. Subsequently, the Business & Industry Advisory Group suggested hiring a person to assist in client services, outreach and assistance, and in interpreting rules to make them more user friendly. As a result of that, Jim Brown has been assigned to the EPD to work with Al Stokes on these issues. In the past, Jim has worked with Don Paulin as legislative liaison and was also responsible for activities on the Missouri and Mississippi Rivers. Director Wilson stated that Jim is a very talented individual and will be an asset in that position. The Missouri and Mississippi River duties have been re-assigned to Kevin Szcodronski.

Director Wilson stated that 42 applications have been received for grants from the waste tire management fund. He related that there was a good response and some good applications were received.

Director Wilson announced a Waste Tire Beneficial Use Seminar, sponsored by WMA, to be held tomorrow in the Wallace Building auditorium. He also noted that there will be a BioCycle Midwest Conference on composting and organics recycling, on November 20-22, at the Hotel Fort Des Moines.

FINANCIAL STATUS REPORT - YTD DIVISION EXPENDITURES

Mark Slatterly, Bureau Chief, Budget and Grants Bureau, presented the following item.

Accompanying this item is the YTD October 31, 1996 division-level expenditure status report.

The Administration division is over budget in the "outside services" category. This is due to the use of contract temporary workers to compensate for several vacant positions in the clerical area, and to supplement design staff for CCC building restoration purposes. This cost is offset by decreased salary expenditures and charges to the capital budget respectively.

Several divisions with large vehicle fleets are showing an "overage" for State Vehicle operation. This is due both to seasonal use patterns and about a 20 cent per gallon increase in fuel costs as compared to a year ago. The fuel cost increase will have to be managed by decreasing costs in other operational areas.

The Parks division is over budget due to charging a printing bill of \$31,000 for the "Mississippi River Boating Guide" to an incorrect cost center. This will be corrected by the end of November.

Staff will be present and will respond to questions regarding related fiscal matters.

DIRECTOR'S OFFICE/I&E BUREAU

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 10/31/96	YTD Actual 10/31/96	Under (Over)
PERS SERV	977,916	1,179,858	353,957	340,769	13,188
PERS TRV IN	32,944	55,114	13,779	14,358	(580)
STATE VEHICL	3,897	7,791	2,594	2,205	389
VEHICLE LEASE	8,220	12,640	4,209	2,775	1,434
PERS TRV OUT	11,348	12,946	3,237	3,452	(216)
OFF SUPPLY	75,192	79,500	19,875	39,796	(19,921)
FAC MAINT SU	3,197	13,000	3,250	1,913	1,337
EQUIP MAINT	3,638	6,850	1,713	298	1,415
OTHER SUPPLY	73,889	104,950	26,238	14,139	12,099
PRINT & BIND	293,328	349,044	59,337	43,503	15,834
UNIFORMS	1,442	2,150	538	209	329
COMMUNICATIO	26,777	29,800	7,450	8,044	(594)
RENTALS	4,470	3,700	925	1,307	(382)
UTILITIES	229	750	188	89	99
PROF SERV	33,296	50,060	12,515	4,838	7,677
OUTSIDE SERV	73,860	46,619	11,655	24,733	(13,078)
ADVER PUB	0	5,000	1,250	0	1,250
DP-MAINFRAME	4,746	13,350	3,338	572	2,766
REIMBURSMENT	796	525	131	0	131
EQUIPMENT	39,413	41,600	12,480	1,353	11,127
EQUIP NONINV	3,374	5,167	1,550	1,307	243
OTHER	551	2,650	663	260	403
	1,672,523	2,023,064	540,870	505,920	34,950

ADMINISTRATIVE SERVICES DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 10/31/96	YTD Actual 10/31/96	Under (Over)
PERS SERV	3,579,613	3,864,278	1,159,283	1,097,082	62,201
PERS TRV IN	45,609	55,750	13,938	7,907	6,031
STATE VEHICL	56,635	56,000	18,648	37,996	(19,348)
VEHICLE LEASE	69,430	79,500	26,474	22,940	3,534
PERS TRV OUT	6,519	12,000	3,000	2,209	791
OFF SUPPLY	342,869	340,200	85,050	59,496	25,554
FAC MAINT SU	1,150	15,500	3,875	158	3,717
EQUIP MAINT	48,882	52,000	13,000	14,957	(1,957)
OTHER SUPPLY	8,190	10,400	2,600	1,348	1,252
PRINT & BIND	23,443	23,500	5,875	4,265	1,610
UNIFORMS	3,464	3,000	750	48	702
COMMUNICATIO	108,666	117,100	29,275	25,783	3,492
RENTALS	1,008	500	125	0	125
PROF SERV	52,227	70,000	14,000	0	14,000
OUTSIDE SERV	81,237	64,500	16,125	29,504	(13,379)
ADVER PUB	528	500	125	145	(20)
DP-MAINFRAME	44,724	52,800	13,200	9,887	3,313
AUDITOR REIM	171,789	175,000	43,750	62,154	(18,404)
REIMBURSMENT	156,555	152,750	38,188	34,032	4,156
EQUIPMENT	207,600	175,100	52,530	15,208	37,322
EQUIP NONINV	11,726	6,000	1,800	2,845	(1,045)
OTHER EXP	7,750	63,732	15,933	31	15,902
	5,029,614	5,390,110	1,557,543	1,427,995	129,548

Notes: The "overage" in State Vehicles relates to federal gas tax paid by the DNR. This will continue all year. Quarterly, the federal tax is reimbursed and the expenditure is decreased accordingly. Thus, at year's end, the net effect will be zero.

PARKS, PRESERVES AND RECREATION DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 10/31/96	YTD Actual 10/31/96	Under (Over)
PERS SERV	4,503,676	4,692,353	1,407,706	1,397,998	9,708
SEASONAL WKRS	1,361,773	1,330,264	811,461	804,420	7,041
PERS TRV IN	74,702	73,050	18,263	10,890	7,373
STATE VEHICL	193,493	201,300	67,033	105,322	(38,289)
VEHICLE LEASE	249,875	298,400	99,367	87,720	11,647
PERS TRV OUT	4,946	6,200	1,550	3,164	(1,614)
OFF SUPPLY	43,613	44,000	11,000	8,769	2,231
FAC MAINT SU	567,338	513,830	205,532	225,051	(19,519)
EQUIP MAINT	386,151	342,000	136,800	141,235	(4,435)
AG CONS SUPP	27,246	34,500	13,800	6,391	7,409
OTHER SUPPLY	45,807	40,600	16,240	8,092	8,148
PRINT & BIND	65,367	32,500	8,125	32,295	(24,170)
UNIFORMS	37,039	34,577	20,746	12,589	8,157
COMMUNICATIO	100,133	111,000	27,750	36,434	(8,684)
RENTALS	41,037	42,550	17,020	20,573	(3,553)
UTILITIES	473,985	454,000	181,600	162,214	19,386
PROF SERV	53,409	51,784	12,946	5,492	7,454
OUTSIDE SERV	227,655	206,500	82,600	87,607	(5,007)
ADVER PUB	1,963	1,050	263	237	26
DP-MAINFRAME	2,140	5,000	1,250	440	810
REIMBURSEMENT	10,573	7,375	1,844	4,643	(2,799)
EQUIPMENT	226,828	248,536	74,561	81,111	(6,550)
EQUIP NONINV	16,399	800	240	5,308	(5,068)
OTHER EXP	432	700	175	98	77
LICENSES	1,145	697	174	970	(796)
	8,716,725	8,773,566	3,218,045	3,249,063	(31,018)

FORESTS AND FORESTRY DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 10/31/96	YTD Actual 10/31/96	Under (Over)
PERS SERV	1,802,802	1,877,565	563,270	541,785	21,485
SEASONAL WRKS	87,467	122,362	74,641	47,231	47,230
PERS TRV IN	41,920	41,200	10,300	13,381	(3,081)
STATE VEHICL	66,912	77,500	25,808	26,700	(893)
VEHICLE LEASE	118,585	136,500	45,455	37,775	7,680
PERS TRV OUT	5,167	11,500	2,875	3,263	(388)
OFF SUPPLY	28,570	19,000	4,750	6,695	(1,945)
FAC MAINT SU	38,187	35,500	8,875	7,677	1,198
EQUIP MAINT	55,993	55,500	13,875	16,117	(2,242)
AG CONS SUPP	78,354	74,000	18,500	21,086	(2,586)
OTHER SUPPLY	21,580	38,000	9,500	6,738	2,762
PRINT & BIND	13,751	21,500	5,375	9,841	(4,466)
UNIFORMS	11,716	13,000	3,250	1,548	1,702
COMMUNICATIO	48,783	48,500	12,125	12,048	77
RENTALS	39,879	43,000	10,750	6,136	4,614
UTILITIES	32,136	31,000	7,750	5,354	2,396
PROF SERV	14,291	1,500	375	0	375
OUTSIDE SERV	72,153	53,500	13,375	6,727	6,648
ADVER PUB	289	500	125	0	125
DP-MAINFRAME	1,248	1,500	375	257	118
REIMBURSEMENT	1,018	300	75	0	75
EQUIPMENT	39,392	66,285	19,886	16,871	3,015
EQUIP NONINV	1,192	9,574	2,872	1,089	1,783
OTHER EXP	42	0	0	45	(45)
	2,621,427	2,778,786	854,180	768,544	85,636

ENERGY & GEOLOGICAL RESOURCES DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 10/31/96	YTD Actual 10/31/96	Under (Over)
PERS SERV	2,327,252	2,659,970	797,991	749,998	47,993
PERS TRV IN	23,745	40,168	10,042	4,026	6,016
STATE VEHICL	12,539	15,000	4,995	6,726	(1,731)
VEHICLE LEASE	12,230	14,000	4,662	2,240	2,422
PERS TRV OUT	42,688	74,336	18,584	7,141	11,443
OFF SUPPLY	30,382	34,858	8,715	9,522	(808)
FAC MAINT SU	623	1,500	375	277	98
EQUIP MAINT	1,837	3,200	800	59	741
PROF SUPPLY	1,465	1,434	359	31	328
OTHER SUPPLY	27,174	54,953	13,738	6,539	7,199
PRINT & BIND	36,466	54,573	13,643	4,117	9,526
UNIFORMS	1,321	1,300	325	15	310
COMMUNICATIO	40,490	41,350	10,338	9,773	565
RENTALS	2,112	2,500	625	1,041	(416)
UTILITIES	20,858	19,000	4,750	4,098	652
PROF SERV	943,476	1,129,990	225,998	125,744	100,254
OUTSIDE SERV	79,584	258,909	64,727	36,519	28,208
ADVER PUB	933	2500	625	145	480
OUT REPAIRS	14	500	125	0	125
DP-MAINFRAME	5,661	7,886	1,972	1,055	917
REIMBURSEMENT	10,714	11,635	2,909	153	2,756
EQUIPMENT	160,016	148,767	44,630	17,126	27,504
EQUIP NONINV	11,516	21,854	6,556	528	6,028
OTHER	4843	5,762	1,441	0	1,441
	3,797,939	4,605,945	1,238,923	986,873	252,050

ENVIRONMENTAL PROTECTION DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 10/31/96	YTD Actual 10/31/96	Under (Over)
PERS SERV	8,780,016	10,642,911	3,192,873	2,840,298	352,575
PERS TRV IN	57,078	162,757	40,689	22,202	18,487
STATE VEHICL	39,981	58,550	19,497	18,311	1,186
VEHICLE LEASE	57,410	88,500	29,471	20,740	8,731
PERS TRV OUT	93,312	288,582	72,146	37,983	34,163
OFF SUPPLY	119,597	157,914	39,479	27,878	11,601
FAC MAINT SU	5,328	5,670	1,418	590	828
EQUIP MAINT	21,496	21,700	5,425	2,997	2,428
PROF SUPPLY	0	1,250	313	0	313
OTHER SUPPLY	14,901	39,684	9,921	15,623	(5,702)
PRINT & BIND	89,826	146,841	36,710	8,796	27,914
UNIFORMS	5,595	9,100	2,275	809	1,466
COMMUNICATIO	198,490	312,950	78,238	42,925	35,313
RENTALS	117,346	513,800	128,450	34,440	94,010
UTILITIES	23,352	24,400	6,100	5,968	132
PROF SERV	3,944,014	5,409,124	1,081,825	577,482	504,343
OUTSIDE SERV	79,547	171,400	42,850	50,248	(7,398)
ADVER PUB	8,310	11,626	2,907	3,484	(578)
DP-MAINFRAME	170,417	226,437	56,609	26,642	29,967
REIMBURSEMENT	57,442	64,500	16,125	2,325	13,800
EQUIPMENT	1,759,294	2,011,357	603,407	359,072	244,335
EQUIP NONINV	43,927	37,765	11,330	2,682	8,648
OTHER EXP	19,599	15,750	3,938	0	3,938
	15,706,278	20,422,568	5,481,993	4,101,495	1,380,498

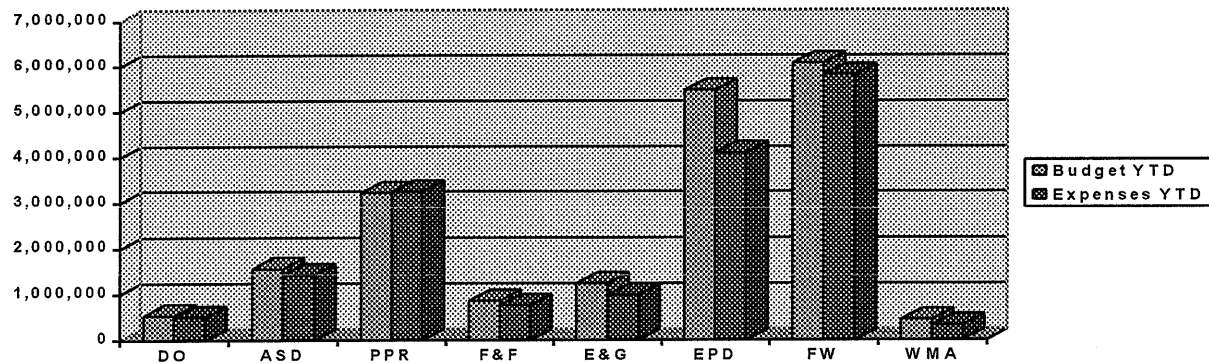
FISH AND WILDLIFE DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 10/31/96	YTD Actual 10/31/96	Under (Over)
PERS SERV	12,402,330	12,946,097	3,883,829	3,871,238	12,591
SEASONAL WRKS	805,914	837,412	510,821	381,311	129,510
PERS TRV IN	350,926	363,240	90,810	103,822	(13,012)
STATE VEHICL	506,847	512,700	170,729	220,747	(50,018)
VEHICLE LEASE	707,360	757,696	252,313	231,320	20,993
PERS TRV OUT	37,513	51,400	12,850	14,881	(2,031)
OFF SUPPLY	266,399	254,818	63,705	46,327	17,378
FAC MAINT SU	336,977	453,707	113,427	92,492	20,935
EQUIP MAINT	480,781	353,036	88,259	162,987	(74,728)
PROF SUPPLY	0	10,000	2,500	0	2,500
AG CONS SUPP	319,951	393,858	98,465	61,728	36,737
OTHER SUPPLY	193,323	113,077	28,269	83,768	(55,499)
PRINT & BIND	338,250	313,989	78,497	50,944	27,553
UNIFORMS	136,027	132,125	79,275	32,714	46,561
COMMUNICATIO	296,015	301,600	75,400	87,503	(12,103)
RENTALS	59,319	65,160	16,290	17,716	(1,426)
UTILITIES	234,382	242,216	60,554	54,928	5,626
PROF SERV	361,161	385,666	77,133	139,339	(62,206)
OUTSIDE SERV	175,192	171,862	42,966	22,324	20,642
ADVER PUB	4,349	23,600	5,900	157	5,743
DP-MAINFRAME	86,521	64,000	16,000	32,217	(16,217)
REIMBURSMENT	82,648	120,751	30,188	175	30,013
EQUIPMENT	696,546	765,135	229,541	83,685	145,856
EQUIP NONINV	76,387	102,875	30,863	24,269	6,594
OTHER EXP	40,817	44,353	11,088	1,428	9,660
LICENSES	217	300	75	0	75
	18,996,152	19,780,673	6,069,745	5,818,020	251,725

WASTE MANAGEMENT ASSISTANCE DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 10/31/96	YTD Actual 10/31/96	Under (Over)
PERS SERV	772,841	897,571	269,271	254,186	15,085
PERS TRV IN	28,797	60,855	15,214	8,562	6,652
STATE VEHICL	0	0	0	12	(12)
PERS TRV OUT	20,579	37,505	9,376	9,455	(79)
OFF SUPPLY	13,475	60,172	15,043	4,436	10,607
EQUIP MAINT	1,192	915	229	51	178
OTHER SUPPLY	34,090	13,270	3,318	8,615	(5,298)
PRINT & BIND	43,742	109,393	27,348	6,903	20,445
UNIFORMS	28	0	0	0	0
COMMUNICATIO	15,567	20,000	5,000	4106	894
RENTALS	776	4,390	1,098	873	225
PROF SERV	62,065	392,413	78,483	17,751	60,732
OUTSIDE SERV	8,855	11,835	2,959	1,396	1,563
ADVER PUB	8,101	12,475	3,119	2,691	428
DP-MAINFRAME	2,737	3,900	975	551	424
REIMBURSMENT	33,075	59,870	14,968	500	14,468
EQUIPMENT-LARGE	34,166	12,610	3,783	5,152	(1,369)
EQUIPMENT-SMALL	1136	4964	1,489	1327	162
OTHER	5,628	6,700	1,675	0	1,675
	1,086,850	1,708,838	453,346	326,567	126,779

DNR Division Level Expenditure Status, 10/31/96



Mr. Slatterly reviewed the status reports for each division.

Brief discussion followed.

INFORMATIONAL ONLY

MONTHLY REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

RULEMAKING STATUS REPORT

November 1, 1996

PROPOSAL	NOTICE TO COMM.	NOTICE PUBLISH	RULES REVIEW COMM.	HEARING	FINAL SUMMARY TO COMM.	RULES ADOPTED	RULES PUBLISH	RULES REVIEW COMM.	RULE EFFECTIVE
1. Ch. 20 - Potential to Emit for Emergency Generators	9/16/96	10/09/96	11/13/96	11/07/96	*12/16/96	*12/16/96	*1/05/97	*2/11/97	*2/19/97
2. Ch. 20, 21, 23, 25 and 29 - Air Quality Rules	10/21/96	*11/20/96	*12/10/96	*12/10/96	*1/14/97	*1/14/97	*1/29/97	*2/11/97	*3/05/97
3. Ch. 22 - Operating Permit by Rule for Small Sources	7/15/96	8/14/96	9/10/96	9/13/96	10/21/96	10/21/96	11/20/96	*12/10/96	*12/25/96

4. Ch. 61 - WQ Standards - Section 401 Certification/Section 404 Nationwide Permits	9/16/96	10/09/96	11/13/96	11/06/96	*12/16/96	*12/16/96	*1/05/97	*2/11/97	*2/19/97
5. Ch. 100, 102 - Special Waste Authorizations	10/21/96	*11/20/96	*12/10/96	*12/13/96	*1/14/97	*1/14/97	*1/29/97	*2/11/97	*3/05/97
6. Ch. 133, 135 - Underground Storage Tank - Risk Based Corrective Action Stds.	6/17/96	7/17/96	8/13/96	8/6,7,8/96 8/12,14,15/96	*12/16/96	*12/16/96	*1/05/97	*2/11/97	*2/19/97

VARIANCE REPORT OCTOBER 1996

Item	Facility	Program	Engineer	Subject	Decision	Date
1	Mechanicsville, City of	Air Quality		Landscape Waste	Denied	10/08/96
2	Ankeny, City of	Wastewater	Veenstra & Kimm, Inc.	Bar Racks	Approved	10/26/96
3	Ankeny, City of	Wastewater	Veenstra & Kimm, Inc.	Ret. Act. Sludge Pumping Cap.-Ext.Air.	Approved	10/26/96
4	Avery, City of	Wastewater	McClure Engineering	Site Separation	Denied	10/01/96
5	Emmetsburg, City of	Wastewater	DeWild Grant Reckert Associates	Number of Pumps	Approved	10/09/96
6	Ames, City of	Flood Plain	Snyder & Associates, Inc.	Freeboard	Approved	10/03/96
7	Jackson County-Four D Partnership Dam	Flood Plain	Fox Engineering	Storm/Storage Capacity	Approved	10/17/96
8	South Skunk River Bridge-Keokuk County	Flood Plain	Calhoun, Burns and Associates, Inc.	Freeboard	Approved	10/03/96
9	Lake Mills, City of	Wastewater		Monitoring Frequency	Approved	10/26/96
10	Keokuk Ferro-Sil, Inc.-Landfill	Solid Waste	Shoemaker & Haaland Prof. Engineers	Groundwater Monitoring	Approved	10/17/96
11	Benton County-Benton Commerce	Watersupply	Howard R. Green Co.	Installation Procedures	Approved	10/22/96

	Village					
12	Sioux City-Kind & Knox Gelatine	Watersupply Construction	Layne-Western	Siting Criteria	Approved	10/16/96

HAZARDOUS CONDITION & SPILL RESPONSE REPORT OCTOBER 1996

During the period October 1, - October 31, 1996, 52 reports of hazardous conditions were received. This does not include releases from underground storage tanks.

Month	Total Incidents	Petroleum Product	Agri - Chemical	Other Chemical	Handling & Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
Oct.	52(64)	28(37)	10(9)	14(18)	31(21)	0(0)	13(35)	4(3)	0(1)	4(4)
Nov.										
Dec.										
Jan.										
Feb.										
Mar.										
Apr.										
May										
Jun.										
Jul.										
Aug.										
Sept.										

(numbers in parentheses for the same period in fiscal year '96)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
7	3	6	3	18	15

Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and

Field Office Number	Program	Alleged Violation	Action	Date
Carroll, City of (4)	Drinking Water	Compliance Schedule; MCL - Other; Public Notice	Order/Penalty \$3,000	10/03/96
Coralville, City of (6)	Wastewater	Discharge Limits; Compliance Schedule	Order	10/03/96
Iowa City Regency Mobile Home Park, Johnson Co. (6)	Wastewater	Compliance Schedule	Order	10/11/96
R & K Smith Farms, L.L.C, Hardin Co. (2)	Wastewater	Prohibited Discharge	Order/Penalty \$500	10/23/96
Gassman's MHP & Spruce Harbor Inn, Dubuque (1)	Drinking Water	Construction Without Permit; Monitoring/Reporting - Bacteria, Nitrate; MCL - Bacteria; Public Notice	Order/Penalty \$4,500	10/23/96
Camp Golden Valley, Lockridge (6)	Wastewater	Monitoring/Reporting; Certified Operator; Discharge Limits	Order/Penalty \$5,700	10/23/96
Marvin Low d/b/a Low's DX, Toledo (5)	Underground Tank	Insurance Violation	Order/Penalty \$10,000	10/23/96
Todd L. Salow, Washington (6)	Air Quality; Solid Waste	Open Burning; Illegal Disposal	Order/Penalty \$5,000	10/24/96
Chris Petty, Decatur Co. (5)	Wastewater	Prohibited Discharge	Order/Penalty \$1,000	10/24/96
Oskaloosa, City of (5)	Wastewater	Discharge Limits	Amended Order	10/30/96
Don Ridenour, Keokuk Co. (6)	Wastewater	Prohibited Discharge	Order/Penalty \$500	10/30/96
Callaway Farms; Midwest Lagoon, Inc., Hamilton Co. (2)	Wastewater	Prohibited Discharge	Order/Penalty \$3,000	10/30/96
Crop Production Services, Inc. Dyersville (1)	Wastewater; Hazardous Condition	Prohibited Discharge; Failure to Notify	Order/Penalty \$3,000	10/30/96
Mark Anderson d/b/a Westside Park for Mobile Homes; M A, Inc., Burlington (6)	Air Quality; Solid Waste	Open Burning; Illegal Disposal	Order/Penalty \$1,000	10/30/96

Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Marvin Kruse d/b/a K & C Feeds (Luana)	UT	300	12-01-92
Don Grell d/b/a Dodger Enterprises (Ft. Dodge)	AQ	10,000	2-16-93
Duane Pospisil d/b/a Duane's Service (Lisbon)	UT	1,000	5-04-93
Franklin Raymond (Pacific Junction)	UT	300	7-07-93
*Delano's Lounge (Washington)	WS	425	9-01-93
Melvin Foubert d/b/a Mel's Repair Service (What Cheer)	UT	400	12-13-93
Stan Simmer d/b/a Tire City (Des Moines)	UT	600	12-21-93
*63-80 Cafe (Moore Oil Co.) (Malcom)	WS	200	1-20-93
William Hatch d/b/a R&R Convenience Store (Central City)	UT	2,480	2-28-93
Kurt & Mary Marzofka; John & Shirley Riordan (Sabula)	UT	500	3-31-94
Ida Grove Farm Supply Co. d/b/a Double Circle Farm Supply Co. (Galva)	UT	2,300	5-15-94
Leland Koster and Jim Koster (Alexander)	UT	350	6-11-94
*Home Asbestos & Lead Abatement Services (Johnston)	AQ	350	7-02-94
King Transfer, Ltd.; George B. King (Onawa)	UT	2,400	7-20-94
Central Water Works (Fort Dodge)	WS	275	8-21-94
Crawford Flats, Ltd. (Denison)	WS	275	8-25-94
Holland, City of	WS	550	8-28-94
Coralville Lake Terrace Assn. (North Liberty)	WS	550	9-01-94
The Marley Pump Co. (Davenport)	WS	125	9-13-94
RHCL School (Luxemburg)	WS	125	9-14-94
Bill Dettman d/b/a Dettman Oil Co. (Fonda)	UT	2,800	9-15-94
Kilpeck Mobile Home Park (Muscatine)	WS	275	9-23-94
Immanuel Lutheran Church and School (Readlyn)	WS	275	9-23-94
Scenic View Estates (Decorah)	WS	275	9-25-94
Yarmouth Elementary School (Mediapolis)	WS	375	10-12-94
Batavia, City of	WS	650	10-17-94
Geils Oil Company; Lawrence P. Geils (Donnelson)	UT	3,200	10-18-94
Hidden Valley Mobile Home Court (Washington Co.)	WS	200	10-22-94
*Dale Hall d/b/a Hall Oil Co. (Des Moines)	UT	250	11-15-94
Donald K. Schmidt (Cedar Rapids)	UT	3,000	12-27-94
Collier Oil Co.; Clark Concrete Co. (Onawa)	UT	3,300	1-22-95
Ron Mumby (Iowa Co.)	SW	2,000	4-19-95
Jody Beaver (Cedar Co.)	SW/AQ	2,000	5-27-95
Valley Heights 1st Annex (Blue Grass)	WS	550	6-05-95
Rock Falls Lounge (Rock Falls)	WS	1,500	6-12-95
Dallas County Care Facility (Adel)	WS	550	6-13-95
Crestwood Acres; Mid County Water, Inc. (Toddville)	WS	375	6-13-95
Lake Vista Improvement Assn., Inc. (Solon)	WS	200	6-14-95
Fremont County Sanitary Landfill (Fremont Co.)	SW	5,000	7-05-95
David A. Dohlman d/b/a Dave's Conoco (Dumont)	UT	2,300	7-18-95
M & L Service; Loyal Dorr; Mark Courtney (Guthrie Center)	UT	1,000	8-30-95
Sheldahl, City of	WS	200	8-30-95
Norman Klynsma d/b/a OK One Stop Service (Hospers)	UT	2,000	9-01-95

Orville Long (Polk Co.)	SW	3,000	9-12-95
Ken Frese (Keokuk Co.)	SW/AQ	1,000	10-03-95
Carter Lake, City of	WS	200	10-25-95
Meadow Knolls Addition (Marion)	WS	200	10-29-95
Searsboro, City of	WW	2,500	11-08-95
*R.V. Hopkins, Inc. (Davenport)	AQ	10,000	11-15-95
Economy Solar Corp. (Monticello)	AQ	7,500	11-25-95
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Patrick McCoy (Keokuk Co.)	AQ/SW	2,000	2-10-96
Steven Mullane d/b/a S & S Landscaping (Madison Co.)	AQ/SW	2,000	2-14-96
Cheryl Straughn d/b/a Cher's Mini Mart (Chapin)	UT	600	2-21-96
Dennis Sharkey d/b/a Sharkey Bldg. Wrecking (Dubuque)	AQ	2,000	3-11-96
Sportsmen's Club (Waukon)	WS	100	4-01-96
C & C Ltd. d/b/a Country View MHP (Denison)	WS	475	4-08-96
Brian McKernan d/b/a Hickory Grove MHP (Story Co.)	WW	1,000	4-15-96
Long Branch Tavern (Monmouth)	WS	100	5-01-96
David Kramer (Camanche)	UT	600	5-03-96
Latimer, City of	WS	150	5-03-96
Ainsworth, City of	WS	150	5-03-96
Hofer's Danceland Ballroom (Walford)	WS	100	5-04-96
McClelland Bar & Grill (Council Bluffs)	WS	100	5-06-96
Paul L. Dunkel (Delaware Co.)	SW	1,500	6-27-96
*Orrie's Supper Club, Inc. (Hudson)	WS	650	7-15-96
*Woden-Crystal Lake Comm. School District (Crystal lake)	AQ	1,000	8-01-96
Plantation Village Mobile Home Park (Burlington)	WW	1,000	8-01-96
Rayburn Court for Mobile Homes (Mason City)	WS	500	8-25-96
Dennis L. Mattison (Winnebago Co.)	AQ/SW	600	9-03-96
*Dan Peterson d/b/a Peterson Backhoe (Dumont)	AQ	500	9-22-96
Carpenter Bar & Grill (Carpenter)	WS	725	9-27-96
Howard Victor and Wanda Victor (Des Moines)	UT	10,000	10-21-96
Riverside Lutheran Bible Camp (Story City)	WS	500	10-28-96
Long Branch Tavern (Monmouth)	WS	6,400	10-28-96
*First United Methodist Church (Ft. Madison)	AQ	2,500	11-01-96
Holliman LTD.; Terry Holliman (Hamburg)	SW/WW	10,000	11-27-96
Joseph Barragy; Tom Barragy; J & M Woodshavings, Inc. (Cerro Gordo Co.)	AQ/SW	4,000	12-02-96
Carroll, City of	WS	3,000	12-06-96
Camp Golden Valley (Lockridge)	WW	5,700	12-26-96
Gassman's MHP & Spruce Harbor Inn (Dubuque)	WS	4,500	12-26-96
Marvin Low d/b/a Low's DX (Toledo)	UT	10,000	12-26-96
#Chris Petty (Decatur Co.)	WW	1,000	12-26-96
Todd L. Salow (Washington)	AQ/SW	5,000	12-28-96
R & K Smith Farms, L.L.C. (Hardin Co.)	WW	500	12-28-96
William R. Hennessey & Son, Inc. (Cedar Rapids)	UT	2,670	-----
Deer Ridge Estates (Ottumwa)	WS	100	-----
Dan Dooley (Polk Co.)	SW	2,000	-----
#Don Ridenour (Keokuk Co.)	WW	500	-----
#Callaway Farms; Midwest Lagoon, Inc. (Hamilton Co.)	WW	3,000	-----
Corn Production Services (Dyersville)	WW/HC	3,000	-----
Mark Anderson d/b/a Westside Park for Mobile Homes; M A, Inc. (Burlington)	AQ/SW	1,000	-----
	TOTAL	177,400	

The following cases have been referred to the Attorney General:

Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Vernus Wunschel d/b/a Wunschel Oil (Ida Grove)	UT	300	1-12-92
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070	10-11-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	600	10-11-94
Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia)	UT	840	11-01-94
Wunschel Oil, et.al. (Battle Creek)	UT	6,400	11-08-94
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	3-24-95
Oscar Hahn (Solon)	SW/AQ	2,000	8-29-95
Randy Ballard (Fayette Co.)	FP	2,000	5-30-95
ESCORP Associates Ltd.; Arnold Olson (Cedar Rapids)	AQ	10,000	7-09-95
TOTAL		31,879	

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Joe Eggers, Jr., et.al. (St. Ansgar)	SW	1,000
Hickory Hollow Water Co. (Ankeny)	WS	400
Wayne Transportation, Inc. (Greene)	WW	1,000
Mulgrew Oil Company (Dubuque)	HC	500
Charles Kerr (Sloan)	UT	600
Chickasaw Co. SLF, et.al. (Chickasaw Co.)	SW	1,000
Plymouth Cooperative Oil Co. (Hinton)	WW	1,000
Randy Bonin/Vickie Brannick (Hardin Co.)	SW	500
Dean Hoeness d/b/a Hoeness & Sons (Winterset)	UT	300
King's Terrace Mobile Home Court (Ames)	WW	500
ITWC, Inc. (Malcom)	AQ	1,000
Frank Hulshizer (Benton Co.)	SW	500
Pirelli Armstrong Tire Corp. (Polk Co.)	SW	1,000
LeMars, City of	WW	5,000
Crane Co. d/b/a Crane Valves (Washington Co.)	SW	500
Donald Udell (Plymouth Co.)	SW	1,000
Oakwood Park Water, Inc. (Ankeny)	WS	1,000
U.S. Dept. of Defense (Sioux City)	UT	5,720
Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel (Shell Rock)	AQ	3,000
Coastal Mart, Inc.-Store #1081 (Davenport)	UT	5,320
Country Stores of Carroll, Ltd.; Roger Kanne (Carroll)	UT	10,000
Elite, Ltd.; Roger Kanne; James Pietig (Coon Rapids)	UT	3,500
Elite, Ltd.; Roger Kanne; James Pietig (Logan)	UT	3,288
HiWay Texaco, Ltd.; Roger Kanne; Rick Kanne (Bagley)	UT	5,000
Galva Union Elevator Co. (Galva)	UT	3,100
Joseph L. Ranker; Daryl Hollingsworth (Indianola)	UT	4,000
Home Oil Stations; Otto-Matic; Larence Otto (Burlington)	UT	3,000
Tom Wiseman (Sheffield)	UT	3,500
Village Oaks Homeowners Assn. (Blue Grass)	WS	550
Karl and Thelma Boylan d/b/a Boylan's Service (Northboro)	UT	1,800

William Jensen d/b/a B & B Tire & Oil Co. (Avoca)	UT	2,300
Crabtree Lake Resort (Rhodes)	WW	5,400
Elmer R. Faust d/b/a Faust Garage & Grocery (Delaware)	UT	2,300
American Coals Corporation - Site #5 (Bussey)	SW/AQ	10,000
H.E.W., Inc. aka Hazardous Environmental Wastes, Inc. aka Algona Roofing & Insulation, Inc. (Algona)	AQ	5,000
Bankston, City of	WS	550
Wunschel Oil, et.al. (Ida Grove)	UT	10,000
Jim Foust (Indianola)	SW	2,175
Titan Wheel International, Inc. (Walcott)	WW	10,000
Ronald Sizemore and Mark Murphy (Eldora)	UT	3,200
Boomsma's Egg, Inc. (Alden/Galt)	AQ	10,000
Keith Owens and Howard Maurer (Wilton)	UT	3,100
Tom Babinat d/b/a Tom's Car Care (Grundy Center)	UT	3,600
Richard Beckett (Villisca)	UT	1,300
Henry and Randy Krohn d/b/a Krohn Const. (Waukee)	AQ/SW	4,000
James and Roxann Neneman; J&R Mini Mart (Council Bluffs)	UT	3,900
Simonsen Industries, Inc. (Cherokee Co.)	WW	5,000
Sale-R-Villa Const., Inc. (Perry)	AQ	10,000
Otis Schultz d/b/a Schultz Oil Co. (Sac City)	UT	2,200
Dennis Malone & Joanne Malone (Morning Sun)	UT	600
# Larry Royer (Guthrie Co.)	WW	1,000
Economy Solar Corp.; Jeffrey C. Intlekofer (Cedar Rapids)	AQ	10,000
Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals (Lee Co.)	HC/WW	10,000
Cumberland Ridge First Addition (North Liberty)	WS	550
Earth Media Technologies, Inc. (Polk Co.)	SW	3,000
Allison Fire Dept.; Allison, City of	AQ	5,000
Pilot Oil Corporation (Walcott)	WW/UT	5,000
Leonard C. Page (Adams Co.)	SW	3,000
White Oaks Homeowners Assn. (Ankeny)	WS	1,000
Boyer Valley Company (Arion)	WW	8,000
Wilbur McNear; Gilbert Persinger (Smithland)	UT	2,500
Donald Krieger (Terrill)	UT	600
Donald J. Foreman d/b/a D & R Feedlots (Woodbury Co.)	WW	3,000
Wilbur McNear d/b/a McNear Oil Co. (Charter Oak)	UT	2,000
Holiday Mobile Lodge, Inc. (Johnson Co.)	SW/AQ	2,000
Shell Rock Products, Inc. (Butler Co.)	SW/AQ	10,000
E.L. Incorporated (Algona)	SW	5,000
Weber Construction, Inc. (Cascade)	AQ	4,000
Tri-County Bank & Trust (Cascade)	AQ	4,000
Jack Pinney Operations, Inc. (Sioux City)	AQ	4,000
# Gary Watson (Cerro Gordo Co.)	WW	2,500
Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.)	AQ/SW	10,000
Roy Burger (Gillette Grove)	UT	5,400
Spencer Municipal Hospital (Spencer)	AQ	3,000
Massena, City of	WW	1,200
Westside Park for Mobile Homes (Burlington)	WW	3,000
Climax Molybdenum Company (Ft. Madison)	HC/AQ	10,000
Clarence, City of	WW	3,000
All-States Quality Foods (Charles City)	WW	5,000
Bill Shirbroun d/b/a Was Broken Pallet (Webster Co.)	AQ/SW	1,000
Daryl & Karen Hollingsworth d/b/a Medora Store (Indianola)	UT	4,800
Hidden Valley Mobile Home Park (Washington)	WW	2,000

Jolly Roger Campground & Marina (North Liberty)	WW	1,000
Markley Knock d/b/a Knock's Bldg. Supply (Parkersburg)	AQ/SW	2,000
Dean Williams d/b/a Williams Oil Co. (Stuart)	UT	4,800
Russell Stagg (Muscatine Co.)	AQ/SW	2,000
Obie's Hurstville Tap, Inc. (Maquoketa)	WS	100
Edward Bodensteiner (Des Moines)	UT	3,200
Dallas County Care Facility (Adel)	WW	2,500
# Marlin Brenneman (Iowa Co.)	WW	3,000
Mount Joy Mobile Home Park (Davenport)	WW	2,000
Louisa-Muscatine Community School (Letts)	WS	500
Davenport Travel Plaza (Walcott)	WS	250
# C & I Eggs (Webster Co.)	WW	3,000
Vermeer Manufacturing Co. (Pella)	AQ	10,000
Gary Walker (Montgomery Co.)	AQ/SW	3,000
Haasco, Ltd. (Dubuque)	AQ	3,000
Site Services, Ltd. (Waterloo)	AQ	5,000
Mederer Corporation (Creston)	WW	10,000
Winsor Oil Co., Inc.; Joyce Winsor (Vinton)	UT	1,500
Bernie Brauns d/b/a Brauns Waste Mgmt. (Muscatine Co.)	AQ/SW	10,000
Becker Gravel Company, Inc. (Stratford)	WW/FP	3,000
Ron Rupe (Polk Co.)	SW	2,000
Richard L. Magdefrau (Washington Co.)	AQ/SW	2,000
Lamoni, City of	WW	1,000
Margaret and Gene Palmersheim d/b/a G & M Service Mart (Greeley)	UT	1,500
Dakota Mobile Home Park (Oxford)	WW	2,550
Waste Mgmt. & Design; Monfort, Inc. (Des Moines)	SW/WW	10,000
Boomsma Egg Site #1; A.J. DeCoster (Wright Co.)	WW	1,000
Leroy Navratil d/b/a Navratil Excavating (Plymouth)	AQ/SW	600
Richard Sprague (Tripoli)	AQ/SW	5,000
TOTAL		393,253

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
Honan Holdings USA, Inc.; Manildra Energy Corp.;		
Manildra Milling Corp. (Hamburg)	SW/WW	1,000
Leonard Borman (Preston)	UT	100
Ken Frese (Keokuk Co.)	SW/AQ	50
TOTAL		1,150

The \$1,000 penalty assessed to Mildred Eileen Bentley (Johnson Co.) has been rescinded.

ATTORNEY GENERAL REFERRALS
November 1, 1996

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
American Asbestos Training Center, Ltd. Cedar Rapids (1) Updated	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Awaiting Decree	7/22/94 8/29/94
Ballard, Randy Fayette Co. (1)	Flood Plain	Construction Without Permit	Order/Penalty	Referred	5/29/96
DeCoster, A.J. Wright Co. (2) Updated	Waste-water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Defendant's Pre-Answer Motions Filed State's Resistance Filed Order Denying Defendant's Motion Defendant's Motion for Separate Trials State's Resistance Filed Defendant's Answer Defendant's Reply to Resistance State's Supplement to Resistance State Brief Hearing on Motion for Separate Trials Order Denying Defendant's Motion Defendant's Motion to Compel State's Motion to Extend Pleadings Hearing Order Denying Defendant's Motion Order Granting State's Motion	7/17/95 1/23/96 3/06/96 3/27/96 4/12/96 4/19/96 4/29/96 5/01/96 5/06/96 5/30/96 5/31/96 6/03/96 6/28/96 10/03/96 10/15/96 10/21/96 10/28/96 10/28/96
DeCoster, A.J. Nursery Unit #3 Wright Co. (2)	Waste-water	Prohibited Discharge	Referred to Attorney General	Referred	8/19/96
Economy Solar Corp. Ft. Madison (6)	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Trial Date Ruling (\$1,600/Civil & Injunction) Notice of Appeal Voluntary Dismissal	3/21/94 8/29/94 11/06/95 11/30/95 1/03/96 4/11/96
Economy Solar Corp. Cedar Rapids (1) Updated	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Awaiting Decree	7/22/94 8/29/94
Economy Solar Corp./Central Community School DeWitt (6)	Air Quality	Asbestos	Referred to Attorney General	Referred	7/17/95
Economy Solar Corp. Cedar Rapids (1)	Air	Penalty	Order/Penalty	Referred	6/17/96

Environmental Protection Commission Minutes

November 1996

	Quality	Collection			
ESCORP/Cryotech Cedar Rapids (1)	Air Quality	Asbestos	Referred to Attorney General	Referred	7/17/95
ESCORP Associates, Ltd; Arnold Olson Cedar Rapids (1)	Air Quality	Asbestos	Order/Penalty	Referred	9/16/96
Hahn, Oscar Solon (6)	Air Quality Solid Waste	Open Burning Illegal Disposal	Order/Penalty	Referred Petition Filed	12/18/95 4/18/96
Humiston, Fred d/b/a Cedar River Trailer Park Letts (6)	Drinking Water	MCL-Nitrate	Referred to Attorney General	Referred	9/16/96
Huyser, James; Trust Trucking Lovilia (5)	Under- ground Tank	Site Assessment	Referred to Attorney General	Referred Petition Filed	11/21/94 4/18/96
Lee, Harold and Evelyn Keokuk Co. (6)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	10/16/95 5/16/96
Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6)	Hazardous Condition	Remedial Action	Order/Penalty	Referred Petition Filed Partial Default Judgment (Injunction)	2/17/92 12/21/92 10/11/94
Orrie's Supper Club, Inc. Hudson (1)	Drinking Water	Monitoring- Reporting; Lead & Copper	Order/Penalty	Referred	10/16/95
Owens & Owens Realty, Inc. Wilton (6)	Under- ground Tank	DNR Defendant	Defense	Petition Filed Answer Filed	3/29/96 4/19/96
Plantation Village Mobile Home Park Burlington (6)	Waste- water	Monitoring- Reporting	Order/Penalty	Referred Motion for Judgment Hearing on Motion Judgment for \$1,000	10/16/95 7/10/96 7/29/96 8/01/96
Postville Pork Postville (1)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred	5/20/96

Reed, Verna and Don; Andrea Silsby Union Co. (4)	Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Default Judgment	6/20/94 8/10/94 12/12/94
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Relative, Inc.; Doug Smuck Des Moines (5)	Under- ground Tank	Insurance Violation	Order/Penalty	Referred Petition Filed	10/17/94 5/12/95
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Underwood, Paul d/b/a Underwood Excavating and Demolition Cedar Rapids (1)	Air Quality	Asbestos	Order/Penalty	Referred Motion for Judgment	5/15/95 8/15/96
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Wunschel Oil Co.; Vernus, Jaquelyn and Mark Wunschel Ida Grove (3)	Under- ground Tank	Site Assessment	Order/Penalty	Referred Motion for Judgment	1/17/95 8/28/96
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CONTESTED CASES**November 1, 1996**

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
1-23-86	Oelwein Soil Service	Admin. Order	WW	Murphy	Hearing continued; additional testing being done.
6-08-89	Shaver Road Investments	Site Registry	HW	Kennedy	Draft consent order under review by EPA.
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Kennedy	Draft consent order under review by EPA.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Murphy	Hearing continued. Discovery initiated.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Murphy	Hearing continued pending negotiations. Settlement proposed 8/96.
5-08-90	Texaco Inc./Chemplex Co. Site	Site Registry	HW	-----	Settlement proposed.
5-14-90	Alter Trading Corp. (Council Bluffs)	Admin. Order	SW	Kennedy	EPD considering public hearings. District court suit filed.
6-20-90	Des Moines, City of	NPDES Permit Cond.	WW	Hansen	EPD met with City to resolve appeal issues. Follow-up with EPD regarding status-2/96.
7-02-90	Keokuk Savings Bank and Trust; Keokuk Coal Gas Site	Site Registry	HW	-----	Hearing continued.
7-30-90	Key City Coal Gas Site; and Howard Pixler	Site Registry	HW	-----	Decision appealed (Pixler).

8-01-90	J.I. Case Company	Site Registry	HW	Preziosi	Hearing continued indefinitely pending cleanup of neighboring site.
10-15-90	Westside General Store Corp.	Admin. Order	UT	Wornson	Evaluating inability to pay - UST fund eligibility by county..
12-03-90	United States Gypsum Co.; Smitty's Oil	Site Registry	HC	Preziosi	Negotiating before filing.
12-27-90	McAtee Tire Service, Inc.	Admin. Order	SW	Kennedy	Amended order issued 1/11/96.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Admin. Order/Penalty	SW	Kennedy	Hearing continued. Clean-up continuing 6/96.
5-20-91	Great Rivers Coop-Lockridge	Site Registry	HC	Murphy	Settlement proposed.
9-25-91	Archer Daniels Midland	Admin. Order	SW	Kennedy	DNR engineers reviewing documents.
1-17-92	Hickory Hollow Water Co.	Admin. Order/Penalty	WS	Hansen	Settlement offer to WS. Counter offer 7/13/93. Dept. response on 8/3/93. Facility response 8/11/93. 12/93 Dept. letter to attorney. Construction permit issued for fluoride removal. Facility to be installed by 10/30/94. Letter to attorney regarding appeal closure. Response requested by 6/2/96. 5/30/96 - Response received indicating compliance and requesting waiver of penalty. 9/30/96 Request for waiver of penalty denied. Facility attorney to submit new proposal.
1-30-92	Center Oil Co., Inc.	Admin. Order	HC	Murphy	Negotiating before filing.
4-09-92	Wayne Transports, Inc.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
4-15-92	Mulgrew Oil Co.	Admin. Order/Penalty	HC	Wornson	Settlement letter sent 8/31/94. SCR completed. Low risk monitoring site.
4-24-92	Charles A. Kerr	Admin. Order/Penalty	UT	Wornson	Financial inability claimed. Warning letter sent 1/25/95. No response.
5-05-92	Plymouth Cooperative Oil Co.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
5-12-92	Paris & Sons, Inc.	Site Registry	HC	Murphy	Negotiating before filing.
5-27-92	Beckett Chevrolet-Olds	Admin. Order	UT	Wornson	Financial inability claimed. Claimant completing financial documents.

6-23-92	Chickasaw County Board of Supervisors, Chickasaw County Sanitary Landfill	Admin. Order/Penalty	SW	Kennedy	County to include closing in FY 1997 budget. Letter regarding budget sent 12/19/95. Letter regarding budget and work plan received 5/14/96.
8-06-92	Randy Bonin and Vickie Brannick	Admin. Order/Penalty	SW	Kennedy	Clean-up progress is slow. Appellant's attorney to reply by 8/1/96.
8-24-92	Dean Hoeness d/b/a Hoeness & Sons	Admin. Order/Penalty	UT	Wornson	Financial inability claimed. Insufficient documentation.
9-21-92	ITWC	Admin. Order/Penalty	AQ	Preziosi	Settlement close.
9-22-92	King's Terrace MHP	Admin. Order/Penalty	WW	Hansen	8/94-Letter to facility regarding resolution of appeal. Follow-up letter 3/96.
11-16-92	Frank Hulshizer	Admin. Order/Penalty	SW	Kennedy	Amended order issued 1/11/96.
12-14-92	Quantum	Permit Conditions	WW	Hansen	3/30/93 Dept. settlement offer made. 5/03/93 response from company. Company collecting data. Company response submitted 12/93. EPD to review information regarding permit calculations.
1-22-93	Pirelli Armstrong Tire Co.	Admin. Order/Penalty	SW	Kennedy	F.O. 5 to meet with company 2/26/96 regarding land application.
4-05-93	Mapleton, City of	WW Operator Certification	WW	Hansen	Under review by EPD. Appeal discussion with EPD staff.
4-12-93	LeMars, City of	Admin. Order/Penalty	WW	Hansen	Construction permit issued. Schedule submitted by City for remaining construction found unacceptable. Request for acceptable schedule - 1/31/96. Schedule received; under review by WW Permits.
4-19-93	Council Bluffs, City of	Permit Conditions	WW	Hansen	8/96 - Letter to City in attempt to resolve appeal. 10/96 - Response from City.
4-21-93	Donald Udell	Admin. Order/Penalty	SW	Kennedy	Clean-up completed. Penalty settlement due.
4-26-93	Crane Co.	Admin. Order/Penalty	SW	Kennedy	DNR engineers meeting with company.
6-21-93	Jacobs Energy Corp., Inc.	Permit Denial	AQ	Preziosi	Hearing continued.
7-06-93 7-28-93	Dennis E. Good Berniece K. Nease	Admin. Order	UT	Wornson	1/25/96-Letter to parties regarding new UST Fund Innocent Owner Fund and requesting settlement

					conference.
7-09-93	Oakwood Park Water, Inc.	Admin. Order/Penalty	WS	Hansen	Construction permit issued 2/94. Facility to be installed by 11/30/94. Letter to attorney regarding appeal resolution. Response requested by 6/2/96. 5/30/96 - Response received indicating compliance and requesting waiver of penalty. 9/30/96 Request for waiver of penalty denied. Facility attorney to submit new proposal.
7-20-93	Valley Restaurant/Sierp Oil; Mary & Carl Wierp; and Robert Radford	Admin. Order	UT	Wornson	Settlement expected. SCR submitted. Revision required under RBCA.
7-20-93	U.S. Dept. of Defense	Admin. Order/Penalty	UT	Wornson	SCRs on the site and several others in Sioux City under review..
8-03-93	Waldo Vannoy	Admin. Order	UT	Wornson	Compliance completed. Low-risk. Closure letter to be sent.
11-16-93	Iowa Southern Utilities	Permit Conditions	AQ	Preziosi	Awaiting summary of issues from attorney.
12-23-93	Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel	Admin. Order/Penalty	AQ	Preziosi	Negotiating penalty. Settlement close.
1-27-94	Archer-Daniels-Midland	Permit Conditions	AQ	Preziosi	Negotiating before filing.
2-14-94	Economy Solar Corp. (94AQ04)	Admin. Order/Penalty	AQ	Preziosi	Judicial review decision received in favor of DNR. No further appeal filed. Sent to AG for collection..
2-28-94	Coastal Mart - Davenport	Admin. Order/Penalty	UT	Wornson	Deficient SCR. Letter sent. Penalty on appeal.
3-03-94	Burlington Northern Railroad	Tax Certification	WW	Hansen	3/96 - Letter to company regarding appeal. Response requested by 4/30/96. 5/96 - Follow-up letter sent. Response requested by 6/28/96. Follow-up letter sent. Response from company that appeal is being reviewed.
3-08-94	Country Stores of Carroll, Ltd.; Elite Ltd.; Roger Kanne; James Pietig (Logan) (Coon Rapids)	Admin. Order/Penalty	UT	Wornson	All SCRs received. Proposal for compliance sent 8/13/96. Response due 11/15/96.
4-19-94	Galva Union Elevator Co.	Admin. Order/Penalty	UT	Wornson	Negotiating penalty.
5-10-94	Dennis Malone; Joanne Malone	Admin. Order/Penalty	UT	Wornson	Untimely appeal. No closure as of 2/96.
5-27-94	Joseph L. Ranker; Daryl	Admin.	UT	Wornson	Insurance to qualify for

	Hollingsworth	Order/Penalty			remedial benefits unpaid. Issued second Admin. Order for failure to have financial responsibility.
6-15-94	Lakeview Heights	Permit Conditions	WS	Hansen	Facility proposal under review by WS. DNR response to appeal - 4/96.
6-24-94	Larence Otto	Admin. Order/Penalty	UT	Wornson	SCR approved 2/1/96. Follow-up letter - 4/96.
7-07-94	Rose Bar Tire Shredding	Admin. Order	SW	Kennedy	In bankruptcy. 1/96 Working on fire lanes.
7-12-94	Tom Wiseman	Admin. Order/Penalty	UT	Wornson	Appeal untimely. Follow-up letter sent. Response due 9/96.
7-15-94	Village Oaks Homeowners	Admin. Order/Penalty	WS	Hansen	WS reviewed file for compliance. 2/96 - in compliance and eligible for reduced monitoring.
8-12-94	Karl and Thelma Boylan d/b/a Boylan's Service	Admin. Order/Penalty	UT	Wornson	Inability to pay. Failed to return required documentation. Follow-up letter -8/96.
8-29-94	B and B Tire and Oil	Admin. Order/Penalty	UT	Wornson	SCR accepted. Letter sent offering penalty negotiations 8/26/96. Free product report received 10/2/96.
9-01-94	Elmer R. Faust d/b/a Faust Garage & Grocery	Admin. Order/Penalty	UT	Wornson	SCR accepted - negotiating penalty.
9-02-94	Crabtree Lake Resort	Admin. Order/Penalty	WW	Hansen	Facility in compliance.
9-06-94	HEW, inc.	Admin. Order/Penalty	AQ	Preziosi	3/1/96 - Amended order to be issued.
9-09-94	American Coals Corp., Site 5 (Bussey)	Admin. Order/Penalty	SW/AQ	Kennedy	Bankruptcy filed. Phone conversation regarding reorganization 1/23/96.
9-15-94	Bankston	Admin. Order/Penalty	WS	Hansen	1/95 - Information from City. Compliance initiated. Respond to City regarding settlement.
9-16-94	Wunschel Oil Co.; Vernus Wunschel; Jacquelyn Wunschel; Mark Wunschel (Ida Grove)	Admin. Order/Penalty	UT	Wornson	Consent order. SCR received. Revisions to SCR required - overdue. Follow-up letter sent 2/26/96. UST Fund conducting further assessment and free produce removal.
9-26-94	James D. Foust	Admin. Order/Penalty	SW	Kennedy	Settlement offer made 1/23/96. FO rejected offer.
10-07-94	Titan Wheel International	Admin. Order/Penalty	WW	Hansen	Revised BMR report submitted/reviewed by WW Permits. Letter to facility regarding report.

10-19-94	Ronald Sizemore; Mark Murphy	Admin. Order/Penalty	UT	Wornson	Inability to pay documented. County took tax deed. Contact regarding UST fund..
10-26-94	Boomsma's Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
10-31-94	Owens & Owens Realty, Inc.; Keith Owens; Howard Maurer	Admin. Order/Penalty	UT	Wornson	Proposed decision 10/5/95. Appealed 11/3/95. EPC confirmed 2/19/96. Decision appealed 3/29/96. District Court for judicial review.
11-14-94	Tom Babinat d/b/a Tom's Car Care	Admin. Order/Penalty	UT	Wornson	Inability to pay - request documentation.
11-28-94	Richard Beckett	Admin. Order/Penalty	UT	Wornson	Referral to UST Fund. Follow-up - 3/96.
12-14-94	Campbell Clean-Up Service	Permit Denial	AQ	Preziosi	Negotiating before filing.
1-10-95	Steamboat Rock	Admin. Order	WS	Hansen	2/95 - Settlement offer by City and response by Dept. 4/95 - Dept. letter to City regarding settlement. 5/95-construction approved by WS section for chlorination equipment. 1/17/96 - Letter to City regarding resolution of appeal. No response as of 2/28/96. Dept. follow-up letter - 3/96. Response from City 4/8/96. Amended order issued 8/30/96.
1-11-95	Henry and Randy Krohn d/b/a Krohn Construction	Admin. Order/Penalty	AQ/SW	Kennedy	Settlement offer made. FO rejected offer.
1-13-95	James and Roxann Neneman	Admin. Order/Penalty	UT	Wornson	Inability to pay. Forms sent. No response. Follow-up - 3/96.
1-13-95	Simonsen Industries, Inc.	Admin. Order/Penalty	WW	Hansen	2/28/95 - Submittal by facility's engineer regarding land application of sludge. Under review by WW permits staff.
2-23-95	Lehigh Portland Cement	Permit Conditions	WW	Hansen	Informal settlement meeting held on 6/96. Facility to provide status report regarding TSS permit limit by 9/20/96.
2-27-95	Sale-R-Villa Construction	Admin. Order/Penalty	AQ	Preziosi	Settlement meeting held 5/23/96. Facility to submit written proposal.
3-23-95	American Coals Corp.	Admin. Order	SW	Kennedy	In bankruptcy. Phone conversation 1/23/96 regarding reorganization.

4-13-95	The Weitz Corp.; Barton Solvents, Inc.	Admin. Order	HC	Kennedy	Remediation plan received 5/27/96.
4-19-95	Otis Schultz d/b/a Schultz Oil Co.	Admin. Order/Penalty	UT	Wornson	SCR accepted. Penalty settlement letter sent 8/26/96.
4-26-95	Larry Royer	Admin. Order/Penalty	WW	Clark	Second settlement letter 6/14/96. FO 4 to confirm compliance-penalty negotiations to follow.
5-05-95	C & O Recycling Enterprises; Douglas W. Owen	Permit Denial	AQ	Preziosi	Negotiating before filing.
5-23-95	Leonard Bormann	Admin. Order/Penalty	UT	Wornson	SCR received 10/26/95. Free product report submitted. Penalty settlement letter sent 8/26/96 - no response. 10/96 - Penalty paid. Settled.
5-25-95	Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals	Admin. Order/Penalty	HC/WW	Kennedy	Hearing set for 11/1/96. Clean-up continuing.
5-25-95	E.I. DuPont DeNemours (95-A-133)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
5-30-95	Economy Solar Corp.; Jeffrey C. Intlekofer (95-AQ-14)	Admin. Order/Penalty	AQ	Preziosi	Hearing set for 11/8/96. Order rescinded.
5-30-95	Earth Media Technologies	Admin. Order/Penalty	SW	Kennedy	In the process of clean-up.
5-31-95	E.I. DuPont DeNemours (91-A-266 thru 91-A-269)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
6-07-95	Cumberland Ridge Homeowners	Admin. Order/Penalty	WS	Kennedy	Awaiting penalty payment - due 8/1/96.
6-09-95	Don Peterson d/b/a Peterson Backhoe	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting final penalty payment.
6-16-95	Allison Fire Dept.; City of Allison	Admin. Order/Penalty	AQ	Preziosi	Awaiting penalty payment.
6-16-95	Pilot Oil Corporation	Admin. Order/Penalty	WW/UT	Murphy	Site clean-up proceeding.
6-20-95	Toledo, City of	Permit Conditions	WW	Hansen	WW permits to negotiate settlement. Status of negotiations requested 1/9/96.
6-23-95	Leonard C. Page	Admin. Order/Penalty	SW	Kennedy	Penalty settlement due 7/30/96.
6-29-95	White Oaks Homeowners Assn.	Admin. Order/Penalty	WS	Hansen	Informal meeting held 3/8/96. 4/25/96 follow-up letter to facility. 5/96 - Facility response received. Meeting held 6/96. Facility to provide signed agreement by 8/31/96 for new water source that meets MCL requirements.
7-03-95	Donald J. Foreman d/b/a D & R Feedlots	Admin. Order/Penalty	WW	Hansen	Negotiating before filing.

7-05-95	Boyer Valley Co.	Admin. Order/Penalty	WW	Hansen	Informal meeting held for 6/7/96. Response from facility due 6/28/96. Response received from facility 7/96.
7-10-95	Donald Krieger	Admin. Order/Penalty	UT	Wornson	Tanks removed. Report due.
7-10-95	Gilbert Persinger	Admin. Order/Penalty	UT	Wornson	SCR received - rejected. Review progress - 4/96.
7-13-95	Organic Technologies Corp.	Admin. Order	SW	Kennedy	Hearing continued.
7-28-95	Harold T. Knott; James C. Knott	Admin. Order	UT	Wornson	Negotiating before filing.
8-01-95	Wilbur McNear d/b/a McNear Oil Co.	Admin. Order/Penalty	UT	Wornson	SCR not received as of 2/29/96.
8-18-95	Holiday Mobile Lodge, Inc.	Admin. Order/Penalty	AQ/SW	Kennedy	Appellant's attorney reply due 2/29/96.
8-18-95	Redmond Enterprises, Inc.	Admin. Order	UT	Wornson	Compliance initiated.
8-24-95	Shell Rock Products, Inc.	Admin. Order/Penalty	AQ/SW	Kennedy	Settlement offer due 8/1/96.
9-06-95	Kraft Foods Inc.; Oscar Mayer Division	Variance Denial	WW	Hansen	Follow-up letter requesting information sent 1/12/96. Letter 2/19/96 granting additional time for information. 6/96 - additional information received by WS staff for review. 7/96 - Request for variance, as modified, granted. 8/96 - Construction permit for new well granted. 10/96 - Letter to engineer regarding dismissal of appeal.
9-20-95	FKI Industries, Inc.; Fairfield Aluminum, Inc.	Admin. Order	WW/HC	Murphy	Negotiating before filing.
10-09-95	E.L. Incorporated	Admin. Order/Penalty	SW	Kennedy	Appellant no longer accepting waste. Renewal permit may be requested.
10-17-95	Tri-County Bank	Admin. Order/Penalty	AQ	Preziosi	Awaiting penalty payment.
10-17-95	Weber Construction, Inc.	Admin. Order/Penalty	AQ	Preziosi	Hearing set for 11/26/96.
11-02-95	Salsbury Chemicals, Inc.	Permit Conditions	WW	Hansen	Informal meeting held 12/4/95. Company. response 1/26/96. Review by WW permits completed 3/21/96. 6/96 - letter received from company regarding appeal. Letter to company attorney regarding appeal 8/5/96. 9/96 Letter sent regarding settlement. 10/96 - Settlement offer sent to company attorney.

11-03-95	Jack Pinney Operations, Inc. aka Jack Pinney Grading	Admin. Order/Penalty	AQ	Preziosi	Settlement close.
11-14-95	Mike Barker	GW Professional Denial	UT	Wornson	Settlement negotiations underway.
11-21-95	Gary Watson	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
12-12-95	Vernon Kinsinger, K & K Sanitation	Admin. Order/Penalty	AQ/SW	Kennedy	Informal meeting held.
12-13-95	Roy Burger	Admin. Order/Penalty	UT	Wornson	Compliance complete - negotiating penalty.
12-27-95	Ag Processing, Inc.	Permit Denial	AQ	Preziosi	Negotiating before filing.
12-28-95	Site Services, Ltd.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
12-29-95	Spencer Memorial Hospital	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
1-04-96	Catherine E. Meredith	Admin. Order	UT	Wornson	Current owner to complete SCR.
1-04-96	Massena, City of	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1-08-96	Westside Park for Mobile Homes	Admin. Order/Penalty	WW	Hansen	Past due monthly monitoring reports submitted to FO 6. Facility inspection 2/28/96 by FO 6/.
1-11-96	Climax Molybdenum Company	Admin. Order/Penalty	AQ/HC	Preziosi	Negotiating before filing. Meeting set for 10/29/96.
1-12-96	Clarence, City of	Admin. Order/Penalty	WW	Hansen	1/96 - Facility inspected by FO 6. 9/96 letter from facility attorney stating construction completed.
1-17-96	All-States Quality Foods, L.P.	Admin. Order/Penalty	WW	Murphy	Settlement offer 6/26/96.
1-19-96	Bill Shirbroun d/b/a Was Broken Pallet	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
1-22-96	Daryl Hollingsworth and Karen Hollingsworth d/b/a Medora Store	Admin. Order/Penalty	UT	Wornson	Negotiating before filing.
1-24-96	Jolly Roger Campground	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1-25-96	Hidden Valley Mobile Home Park	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1-25-96	Markley Knock d/b/a Knock's Building Supply	Admin. Order/Penalty	AQ/SW	Kennedy	Phone conference with attorney regarding settlement - due 5/30/96.
1-30-96	Dean Williams d/b/a Williams Oil Co.	Admin. Order/Penalty	UT	Wornson	Compliance initiated.
2-06-96	Russell Stagg	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.

3-04-96	Edward Bodensteiner	Admin. Order/Penalty	UT	Wornson	Hearing set for 11/7/96.
3-11-96	Dallas County Care Facility	Admin. Order/Penalty	WW	Hansen	Facility inspection to be scheduled by FO.
3-11-96	Marlin Brenneman	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
3-14-96	Laurel, City of	Admin. Order	WW	Hansen	Information submitted by city under review by WQ section..
3-14-96	Lamoni, City of	Admin. Order	WW	Hansen	Negotiating before filing.
3-19-96	Obie's West	Admin. Order	WS	Hansen	Under review by WS section.
3-22-96	Mt. Joy Mobile Home Park	Admin. Order/Penalty	WW	Hansen	3/25/96 Inspection by FO 6. Facility in compliance.
3-26-96	Louisa-Muscatine Community School	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.
4-19-96	C & I Eggs	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
5-03-96	Mildred Eileen Bentley	Admin. Order/Penalty	AQ/SW	Kennedy	Cleanup complete. Penalty rescinded. Settled.
5-07-96	Lakeview Mobile Home Park	Admin. Order/Penalty	WW	Hansen	6/20/96 - informal meeting held. Facility to provide settlement offer by 7/15/96. Settlement offer received from facility - under review.
5-08-96	Vermeer Mfg. Co. (96AQ06)	Admin. Order/Penalty	AQ	Preziosi	Drafting consent order.
5-14-96	Gary Lee Walker	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
5-16-96	Grand Laboratories, Inc.	Permit Denial	WW	Hansen	Negotiating before filing.
5-29-96	Champion Intl. Corp.	Permit Denial	AQ	Preziosi	Negotiating before filing.
5-29-96	Haasco, Ltd.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
6-07-96	Clow Valve Company	Permit Conditions	AQ	Preziosi	Negotiating before filing.
6-07-96	Koehring Cranes, Inc.	Open Burning Variance Denial	AQ	Preziosi	Negotiating before filing.
6-10-96	DeCoster Farms of Iowa (19 sites)	Admin. Order	WW	Clark	Hearing held 10/2-4/96..
6-10-96	DeCoster Farms of Iowa (5 sites)	Permit Denial	WR	Clark	Hearing held 10/2-4/96.
6-17-96	Winsor Oil Co., Inc. ; Joyce Winsor	Admin. Order/Penalty	UT	Wornson	Hearing set for 10/28/96. Compliance initiated..
6-19-96	Appanoose Co. Sanitary Landfill	Permit Modification Denial	SW	Kennedy	Negotiating before filing.
6-25-96	Bernie Brauns d/b/a Brauns Waste Mgmt. & Excavating	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.

7-08-96	Becker Gravel Co., Inc.	Admin. Order/Penalty	WW/FP	Clark	Negotiating before filing.
7-11-96	Ron Rupe	Admin. Order/Penalty	SW	Kennedy	Negotiating before filing.
7/17/96	Richard L. Magdefrau	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
8/01/96	DeCoster Farms of Iowa (Nursery Unit 7 - Wright Co.)	Permit Denial	WW	Clark	Hearing held 10/2-4/96.
8/01/96	DeCoster Farms of Iowa (Boomsma Egg Site #1)	Admin. Order/Penalty	WW	Clark	Hearing set for 11/15/96.
8/02/96	Gene Hammen d/b/a Maple Grove Hog Producers	Permit Denial	WW	Clark	Hearing held 9/23/96.
8/09/96	Gene and Margaret Palmersheim d/b/a G & M Service Mart	Admin. Order/Penalty	UT	Wornson	Negotiating before filing.
8/19/96	Capitol Oil Co., Inc. d/b/a Dakota Mobile Home Park	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
8/23/96	Waste Management & Design (Monfort)	Admin. Order/Penalty	WW/SW	Kennedy	Settlement pending.
8/30/96	Howard Victor & Wanda Victor	Admin. Order/Penalty	UT	Wornson	Closed facility. Negotiating penalty.
8/30/96	LeRoy E. Navratil	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
9/04/96	Ag Processing, Inc./Sheldon Facility	Permit Denial	AQ	Preziosi	Negotiating before filing.
9/24/96	North Star Steel Iowa	Permit Denial	AQ	Preziosi	Negotiating before filing.
9/26/96	Richard Sprague	Admin. Order/Penalty	AQ/SW	Kennedy	Settlement agreement. Awaiting penalty payment.
10/04/96	Osborne Outdoor Education Center	Admin. Order	WS	Hansen	New case.
10/11/96	DeCoster Farms of Iowa (96-WW-32).	Admin. Order	WW	Clark	Sent to DIA.
10/28/96	Fischer Controls International	Permit Conditions	WW	Hansen	New case.

Mr. Stokes reviewed the monthly reports. He gave an update on the retroactivity rules submitted to EPA noting that last week EPA indicated they would proceed with noticing and approving the portion of the rule on permit exemptions from this point forward. He noted that they would not approve the retroactivity portion. Mr. Stokes related that the department formally resubmitted the retroactivity package with the Director's signature and they are unable or unwilling to give the department any kind of prognosis of when they may be taking action on it.

Mr. Stokes stated that the UST-TAC met last week to finish work on the RBCA rules and they will be brought to the Commission next month. He noted that a copy of rules with the proposed changes will be sent to the affected parties with a note stating that the Commission has not yet adopted them.

Discussion followed regarding the variance for the City of Waverly; the enforcement listing for the City of Carroll; and the Don Ridenour listing on the enforcement report.

INFORMATIONAL ONLY

PUBLIC PARTICIPATION

Chairperson King announced public participation at 2:00 p.m.; no one requested to speak.

AIR QUALITY PROGRAM STATUS UPDATE

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be given an update on various issues relative to the Air Quality Program. These will include a staffing update, budget update, update on implementation of the file imaging system, update on status of move to Ingram Building, rule development update and other programmatic issues.

The Commission will be provided written update information under separate cover prior to the Commission meeting.

Mr. Stokes stated he earlier distributed documents to each Commissioner's work station which was handed out at the Client Contact Group meeting last week. Those documents included the meeting agenda; staffing report for the air program; air quality budget expenditures YTD; copy of draft certified letter on "as-built" permits; and a letter inviting parties to the Computer Services Advisory Group meeting on November 20. Mr. Stokes thoroughly reviewed each of the hand-outs.

Discussion followed regarding the computer imaging system and when it will be up to par and have the kinks worked out of the program.

Mr. Stokes stated that hopefully it will be in a production mode by December. He related that the final formal acceptance could possibly come about by March - April 1997.

Mr. Stokes discussed the permit response time noting that it ranges from 30-60 days and 40 days is the time that is normally promised. He related that Jacobs Engineering, the contractor who was hired to issue "as-built" permits, has been running behind in getting them out. He added that there was a 45 day response constraint written in their contract and the department plans to speak to them in regard to meeting that time frame.

Mr. Stokes gave an update on the Air West office.

Discussion followed regarding the Client Group meetings prior to the Commission meetings and their efforts to work out any problems that may arise.

William Ehm expressed pleasure in the department's efforts to look at the system and related he definitely feels this is the right direction to take. He added that it is a good process and will save both clients and the department a lot of time and effort in the long run.

INFORMATIONAL ONLY

RBCA BRIEFING WRAP-UP

Mr. Stokes introduced Keith Bridson, Supervisor of the Underground Storage Tank section, and related that Keith will make a final presentation on the RBCA rules.

Keith Bridson advised the Commission that next month the final revision of the RBCA rules will be presented for their review. He reviewed the Tier 2 topics and gave an overview of Tier 3 covering the following topics: Why Special Bedrock Procedures are Needed; Bedrock Systems - Soil; Bedrock - Groundwater; Categories of Bedrock; Nongranular Bedrock; Granular Bedrock; Free Product; Chemicals of Concern; DNR Review; Summary of Part 3; Risk Based Corrective Action Summary; RBCA - Current Status; and RBCA Future Development.

Brief discussion followed.

Chairperson King thanked Mr. Bridson for his presentation.

INFORMATIONAL ONLY

INTERAGENCY AGREEMENT - DEPARTMENT OF ECONOMIC DEVELOPMENT

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve an inter-agency agreement with the Iowa Department of Economic Development to provide the function of a Small Business Liaison for Air Quality Affairs (SBLAQA). The agreement amount for state fiscal year 1997 is \$81,000.00. A copy of the proposed agreement is attached.

**MEMORANDUM OF AGREEMENT
BETWEEN
IOWA DEPARTMENT OF NATURAL RESOURCES
&
IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT**

PURPOSE

The Iowa Department of Natural Resources (IDNR) and the Iowa Department of Economic Development (IDED) mutually enter into this agreement to establish and maintain a Small Business Liaison for Air Quality Affairs (SBLAQA) function for small businesses in Iowa.

IDED AGREES THAT IT WILL:

Designate at least one full-time equivalent (FTE) or contract position to provide the functions of an SBLAQA the primary focus of which will be directed towards activities related to small business stationary sources as defined by the federal Clean Air Act Amendments of 1990 (CAAA) - Section 507(c)(1) and will:

- Notify small businesses of their obligations under CAAA.
- Develop and disseminate reports and advisory opinions regarding air quality issues affecting small businesses.
- Assist the IDNR in ensuring that air quality information distributed to the regulated public and air quality rules affecting small businesses is understandable.
- Refer small businesses to the Iowa Air Emission Assistance Program (IAEAP) to obtain information and assistance on affordable alternative technologies, process changes, products and operational methods from IAEAP.
- Provide written comment deemed by the SBLAQA as warranted and appropriate, as part of the rule development and promulgation process on air quality rules with emphasis on impacts on small business stationary sources.
- Render advisory opinions as warranted on the overall effectiveness of IDNR's compliance and compliance assistance efforts related to small businesses.
- Attempt to resolve complaints and disputes, as they pertain to air quality issues, between small businesses and IDNR, local air pollution control agencies, or IAEAP.

Develop and maintain an Internet web site describing services and assistance provided by the SBLAQA.

Develop and implement marketing initiatives which will include but not necessarily be limited to promotion of the SBLAQA function to serve small business; inform small business of the availability, benefits and limitations of the states "Fifty Percent Permit"; and inform area sources of NESHAPS of their obligations under the clean air act.

Consult with IDNR in the development of written or electronic publications and informational materials, other than financial reports provided to IDNR, developed under this agreement for

public distribution, and place the following statement on the cover page of those written or electronic publications and informational materials.

"The publication of this document has been funded in part by the Iowa Department of Natural Resources."

Consider and treat all written and electronic publications, reports and informational materials developed under this agreement as property of the State of Iowa.

Participate in quarterly meetings with IDNR, IAEAP and other representatives to discuss progress toward development of a comprehensive small business assistance program.

Consult with IDNR prior to engaging any activities under the auspices of the SBLAQA which are not envisioned in the scope of this agreement.

Provide IDNR written activity updates on January 15, April 15, July 15, and October 15 of each calendar year recapping activities of the SBLAQA for the immediately preceding calendar quarter which include discussion of:

- Efforts of the SBLAQA directed at outreach, training, education, rule review, and complaint resolution and problems encountered in accomplishing these activities.
- Training completed by the SBLAQA.
- The number of complaints from small business received and acted upon.
- A list of all small business facilities contacted, including company name, city, and IDNR Field Office area, and an estimate of the number of small business owners / operators contacted through outreach activities.

By February 15th of each calendar year, provide IDNR a proposed draft workplan and budget for the next state fiscal year (July 1 of the current calendar year through June 30 of the following calendar year) which includes an outline of major activities and timelines for accomplishment of those activities proposed to be accomplished, and a line item budget including salaries, travel, support, equipment and contracts.

By April 15 of each calendar year, provide IDNR a final proposed work plan and budget for the next state fiscal year (July 1 of the current calendar year through June 30 of the following calendar year) which highlights and provides explanations of significant changes from the draft workplan and budget.

By July 15th of each calendar year provide IDNR an annual assessment on the effectiveness of the IAEAP in providing information and assistance to small businesses during the state fiscal year just ended.

IDNR AGREES THAT IT WILL:

Consult with IDED in the development of written or electronic publications and informational materials, other than financial reports, developed for public distribution by the SBLAQA under this agreement.

Facilitate and participate in quarterly meetings with IDED, IAEAP and other representatives to discuss progress toward development of a comprehensive small business assistance program.

Provide the SBLAQA draft copies of all proposed air quality rules for review and comment prior to commencement of formal rulemaking processes.

Review, comment and approve or disapprove each non-financial, written or electronic publication and informational document or report provided by the SBLAQA within 15 days of receipt. Failure of IDNR to provide comments within the allotted time constitutes approval by IDNR.

By March 15 of each calendar year review and provide comments on the proposed draft workplan and budget provided by the IDED for the SBLAQA function for the next state fiscal year (July 1 of the current calendar year through June 30 of the following calendar year).

By May 15 of each calendar year review and provide comments on the proposed final workplan and budget provided by the IDED for the SBLAQA function for the next state fiscal year (July 1 of the current calendar year through June 30 of the following calendar year).

This agreement will be on a fixed price basis. Within ten (10) working days of this agreement taking effect IDED will submit to IDNR an inter-agency transfer request for eighty-one thousand dollars (\$81,000.00) to fund the SBLAQA functions outlined in this agreement. IDNR will process the inter-agency transfer request within ten (10) working days of receipt.

TERM OF AGREEMENT:

This agreement will become effective immediately upon signing by the Director of IDNR and Director of IDED and will remain in effect until July 1, 1997, or until modified or terminated as provided in this agreement. This agreement may be renewed on an annual basis. This agreement may be modified at any time by written mutual agreement signed by the Director of IDNR and Director of IDED. Either agency may terminate this agreement upon written notice one to the other which is signed by the Director of the agency terminating the agreement. Termination of this agreement may only be exercised to coincide with the end of a state fiscal year. Written notice of intent to terminate this agreement must be provided to the other agency not later than sixty (60) calendar days prior to July 1 of each calendar year.

DEPARTMENT OF ECONOMIC DEVELOPMENT

DEPARTMENT OF NATURAL RESOURCES

By: _____
David J. Lyons, Director

By: _____
Larry J. Wilson, Director

Date: _____

Date: _____

This agreement was approved, as required by Subsection 455B.105(7) of the Code of Iowa, by the Environmental Protection Commission on _____, 1996.

Mr. Stokes reviewed details of the contract and asked the Commission for their approval of same.

Charlotte Mohr asked if the Small Business Liaison office will be located at DED.

Mr. Stokes affirmed that it will be located at DED.

Terrance Townsend asked if this agreement is any different than the agreement now in place.

Mr. Stokes stated that it is the same as the agreement the department previously had with the State Ombudsman Office, adding that the department does not have a current agreement with the Ombudsman.

Discussion followed regarding federal requirements and costs in comparison with the old contract.

Motion was made by Verlon Britt to approve the Interagency Agreement with DED as presented. Seconded by Kathryn Murphy. Motion carried unanimously.

APPROVED AS PRESENTED

LEGISLATION PACKAGE - 1997

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

IDNR LEGISLATIVE PROPOSALS FOR THE 1997 SESSION **Environmental Protection Commission related**

Authority for water supply SRF.

With the adoption of the federal amendments to the Safe Drinking Water Act, a revolving loan program like the existing one for wastewater improvements is now possible. Iowa needs to adopt some changes in Code to allow the state to participate.

Amendments to state water supply program.

It may be necessary to propose amendments to current water supply legislation in order for state law to conform to the changes made in the federal act. Changes could include a modification to Section 455b.183 which calls for issuance of construction permits based on engineer certifications. With a water supply revolving loan fund, it is likely that the state will be required to conduct an engineering review of projects seeking assistance.

Sewage sludge program amendments.

EPA has recommended changes in the current Code related to sludge management to support the proposed designation of Iowa to manage federal sludge program responsibilities. Changes include requiring an NPDES permit for any sludge disposal facility subject to federal regulation, control over marketing of sludge, and the ability to impose criminal as well as civil penalties for violations.

Amendments to certification of groundwater professionals.

With the last set of changes to the LUST program, the department was directed to establish a certification program for groundwater professionals to replace the registration requirement. Some provisions that logically applied to registration but not certification need to be deleted if the program is to operate equitably. If the changes are not made, some persons will not be able to be certified, which reduces competition and raises costs with no demonstrated benefit.

Mr. Stokes discussed details of each legislative proposal explaining the effect of each. He noted that the above is a conceptual outline for legislation and the Commission will need to indicate whether or not they would like to have draft bills prepared for these proposals.

Consensus of the Commission was to approve the legislative proposals as presented.

Director Wilson stated that the department is still working with ACCO on agriculture issues and suggested that the Commission might want to be open to making a statement on agriculture/hog confinement issues in the future.

Dean McWilliams asked that an update on these issues be given during the legislative session. Director Wilson stated that Don Paulin will give a monthly status report on legislation during the session.

Rita Venner asked Director Wilson his opinion on Commissioners taking a stand on the hog confinement situation.

Director Wilson stated that he expects Commissioners to have their own opinion on matters. He stressed that Commissioners should be sure the person(s) they are talking to understand the comments are personal view and not that of the Commission, unless the Commission has taken a position on it. He related that if the Commission, as a whole, adopts a position on a particular matter, the Commissioners should support the position.

INFORMATIONAL ONLY

GENERAL DISCUSSION

Chairperson King mentioned a letter each Commissioner received from Gilbert Gingerich and advised the Commission that the matter may come before the Commission at a later date. She asked that the Commission disregard the letter at this time because it pertains to a case in which a decision has not yet been made. Director Wilson noted that the cancelled appointment with John Williams relates to this case.

Mr. Stokes announced that there is a meeting of the state Composting Advisory Committee tomorrow and he provided a copy of the agenda to Gary Priebe.

Gary Priebe stated that he would really like to attend the meeting but he has a conflict.

Chairperson King reported that she received a phone call from former Commissioner, Nancy Lee Siebenmann, who is now serving on the State Board of Health. She related that Nancy Lee invited the EPC to meet with their board to discuss items of mutual interest, such as electromagnetic fields.

Director Wilson stated that he will check in to meeting with Board of Health in January.

ADDRESS ITEMS FOR NEXT MEETING

Terry Townsend requested an update on the Washburn Sewage Treatment Plant and the wetlands issue.

Gary Priebe asked about an update on Rosebar grant.

NEXT MEETING DATES

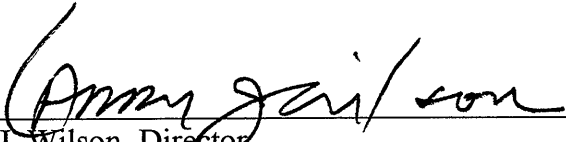
December 16, 1996

January 21, 1997 (Tuesday)

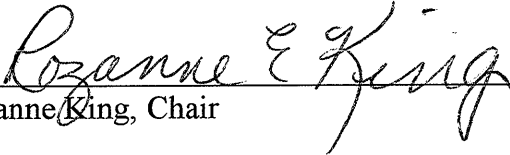
February 17, 1997

ADJOURNMENT

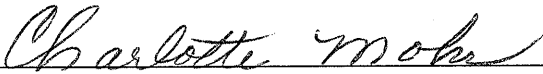
With no further business to come before the Environmental Protection Commission, Chairperson King adjourned the meeting at 3:55 p.m., Monday, November 18, 1996.



Larry J. Wilson, Director



Rozanne King, Chair



Charlotte Mohr, Secretary

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